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S P E E C H

or

HON. D. C. BRODERICK,
OF CALIFORNIA,

STANFORD
LIBRARIES

AGAINST THE

STANFORD LIBRARIES
ADMISSION OF KANSAS,

PRINTING

UNDER

THE LECOMPTON CONSTITUTION.

DELIVERED IN THE SENATE OF THE UNITED STATES, MARCH, 22, 1858.

WASHINGTON:
PRINTED BY LEMUEL TOWERS.
1858.

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S P E E C H
O F
HON. DAVID C. BRODERICK,
OF CALIFORNIA,
AGAINST THE
ADMISSION OF KANSAS.

DELIVERED IN THE SENATE OF THE UNITED STATES, MARCH 22, 1858.

The Senate having under consideration the bill [S. 161] for the admission of the State of Kansas into the Union—Mr. BRODERICK said:

Mr. PRESIDENT: In December last, when the President's message was under discussion, I promised, that if ever the Lecompton constitution was presented to the Senate, I should have some opinions to express in regard to it. Since then the whole subject has been so thoroughly debated that little remains to be said, and, I would not now detain the Senate, if it were not for views expressed by Republican Senators in favor of a restoration of the Missouri compromise, and, particularly, the opinions expressed by the Senator from New York, (Mr. SEWARD,) in which he regrets its repeal.

Sir, if it had not been for the repeal of the Missouri Compromise, there would now be no Republican party in existence. Instead of uttering regrets at its repeal, the Republican party in the North should rejoice that it made the territories a common battle-field in which the conflicting rights of free and slave labor might struggle for supremacy.

The history of the Missouri Compromise can be briefly told. It was passed by Southern votes. The few Northern men who supported it, were consigned to oblivion immediately on their return to their constituents.

At the time it passed, it was considered a triumph for the South. The South rejoiced at the victory. The North, after

a murmur of discontent, gave in its adhesion. At the time, the constitutionality of the act was not questioned. It received the endorsement of Mr. Monroe and his cabinet, the majority of whom were Southern men. For twenty-five years tranquility reigned throughout the country.

Early in the session of 1845, a joint resolution was introduced in the House of Representatives, for the admission of the Republic of Texas as a State into the Union. This resolution reaffirmed the Missouri Compromise. It passed the House of Representatives, obtaining almost the unanimous votes of Southern members. It passed this body by Southern votes. Thus, it will be seen, this re-enactment of the Missouri Compromise was conceived by Southern men, and brought into existence by Southern men. The South exultingly claimed it as another victory over the North.

Among the Senators who addressed this body on the question, was the present President of the United States. I quote from his speech. Mr. Buchanan said :

" He was pleased with it (the renewed Compromise) again, because it settled the question of slavery. These resolutions went to re-establish the Missouri Compromise, by fixing a line within which slavery was to be in future confined. That controversy had nearly shaken the Union to its centre in an earlier and better period of our history; but this Compromise, should it be now re-established, would prevent the recurrence of similar dangers hereafter. Should this question be now left open for one or two years, the country could be involved in nothing but one perpetual struggle. We should witness a feverish excitement in the public mind; parties would divide on the dangerous and exciting question of abolition; and the irritation might reach such an extreme as to endanger the existence of the Union itself; but close it now, and it will be closed forever.

" Mr. B. said he anticipated no time when the country would ever desire to stretch its limits beyond the Rio del Norte; and such being the case, ought any friend of the Union to desire to see this question left open any longer! Was it desirable again to have the Missouri question brought home to the people, to goad them to fury! That question between the two great interests of our country had been well discussed and well decided; and from that moment Mr. B. had set down his foot on the solid ground then established, and there he would let the question stand forever. Who could complain of the terms of that Compromise! It was then settled that north of 36 degrees 30 minutes, slavery should be forever prohibited. The same line was fixed upon in the resolutions recently received from the House of Representatives, now before us. The bill from the House for the establishment of a territorial government in Oregon, excluded slavery altogether from that vast country. How vain were the fears entertained in some quarters of the country that the slaveholding

States would ever be able to control the Union! While, on the other hand, the fears entertained in the South and West, as to the ultimate success of the Abolitionists, were not less unfounded and vain. South of the Compromise line of 36 degrees 30 minutes, the States within the limits of Texas applying to come into the Union, were left to decide for themselves whether they would permit slavery within their limits or not. And under this free permission, he believed with Mr. Clay (in his letter on the subject of annexation,) that if Texas should be divided into five States, two only of them would be slaveholding, and three free States."

Can it be possible, that the man who uttered these sentiments could be chosen as the mouth-piece to foreshadow the opinion of the Supreme Court, in which the constitutionality of the act is denied; or, that the attorney who argued the case against the slave Dred Scott, and, in accordance with the opinion of the Court, could, when a Senator on this floor, have used the following language. Yet it is recorded, that Mr. Reverdy Johnson, of Maryland, said:

"He believed in the existence of the power in Congress to pass a law to prohibit slavery, and if such a law were presented to the Supreme Court for a decision on its constitutionality, it would be in favor of the law. As a judicial question, the decision would be against protection to the South. On a bill providing territorial governments for Oregon, California, and New Mexico, he had said that he should himself have submitted an amendment adopting the line of the Missouri Compromise, had he not been anticipated in his motion by a Senator from Indiana (Mr. Bright.)"

The marked feature of this opinion is, that the Constitution is extended over the Territories. The "great expounder of the Constitution" (Mr. Webster) differed from the Supreme Court. I will read his remarks on the subject, which were called forth by an amendment offered by Mr. Walker, of Wisconsin, providing a territorial government for the territory acquired by the treaty of peace with Mexico. Mr. Webster said—

"It is of importance that we should seek to have clear ideas and correct notions of the question which this amendment of the member from Wisconsin has presented to us—and especially that we should seek to get some conception of what is meant by the proposition, in a law, to 'extend the Constitution of the United States to the Territories.' Why, sir, the thing is utterly impossible. All the legislation in the world, in this general form, could not accomplish it. There is no cause for the operation of the legislative power in such a manner as that. The Constitution—what is it? We extend the Constitution of the United States by law to Territory! What is the Constitution of the United States? Is not its very first principle, that all within its influence and comprehension shall be represented in the legislature which it establishes, with not

only a right of debate and a right to vote in both Houses of Congress, but a right to partake in the choice of the President and Vice President! And can we by law extend these rights, or any of them, to a Territory of the United States? Every body will see that it is altogether impracticable. It comes to this, then, that the Constitution is to be extended as far as practicable; but how far that is, is to be decided by the President of the United States, and therefore he is to have absolute and despotic power. He is the judge of what is suitable and what is unsuitable; and what he thinks suitable is suitable, and what he thinks unsuitable is unsuitable. He is '*omnis in hoc;*' and what is this but to say, in general terms, that the President of the United States shall govern this Territory as he sees fit till Congress makes further provision. Now, if the gentleman will be kind enough to tell me what principle of the Constitution he supposes suitable, what discrimination he can draw between suitable and unsuitable which he proposes to follow, I shall be instructed. Let me say, that in this general sense there is no such thing as extending the Constitution. The Constitution is extended over the United States, and over nothing else. It cannot be extended over anything except over the old States and the new States that shall come in hereafter, when they do come in. There is a want of accuracy of ideas in this respect that is quite remarkable among eminent gentlemen, and especially professional and judicial gentlemen. It seems to be taken for granted that the right of trial by jury, the *habeas corpus*, and every principle designed to protect personal liberty, is extended by force of the Constitution itself over every new Territory. That proposition cannot be maintained at all. How do you arrive at it by any reasoning or deduction? It can be only arrived at by the loosest of all possible constructions. It is said that this must be so, else the right of the *habeas corpus* would be lost. Undoubtedly these rights must be conferred by law, before they can be enjoyed in a Territory."

In reply to Mr. Calhoun on the same subject, he argued:

"The Constitution, as the gentleman contends, extends over the Territories. How does it get there? I am surprised to hear a gentleman so distinguished as a strict constructionist, affirming that the Constitution of the United States extends to the Territories, without showing us any clause in the Constitution in any way leading to that result; and to hear the gentleman maintaining that position, without showing us any way in which such a result could be inferred, increased my surprise.

"One idea further upon this branch of the subject. The Constitution of the United States extending over the Territories, and no other law existing there! Why, I beg to know how any government could proceed, without any other authority existing there than such as is created by the Constitution of the United States? Does the Constitution of the United States settle titles to land? Does it regulate the rights of property? Does it fix the relations of parent and child, guardian and ward? The Constitution of the United States establishes what the gentleman calls a confederation for certain great purposes, leaving all the great mass of laws which is to govern society to derive their existence from State enactments. That is the just view of the state of things under the Constitution. And a State or Territory that has no law but such as it derives from the Constitution of the United States, must be entirely without any State or Territorial government. The honorable Senator from South Carolina, conver-

sant' with the subject as he must be, from his long experience in different branches of the Government, must know that the Congress of the United States have established principles in regard to the Territories that are utterly repugnant to the Constitution. The Constitution of the United States has provided for them an independent judiciary; for the judge of every court of the United States holds his office upon the tenure of good behavior. Will the gentleman say that, in any court established in the Territories, the judge holds his office in that way? He holds it for a term of years, and is removable at Executive discretion. How did we govern Louisiana before it was a State? Did the writ of *habeas corpus* exist in Louisiana during its territorial existence? Or the right to trial by jury? Who ever heard of trial by jury there before the law creating the territorial government gave the right to trial by jury? No one. And I do not believe that there is any new light now to be thrown upon the history of the proceedings of this Government in relation to that matter. When new territory has been acquired, it has always been subject to the laws of Congress—to such laws as Congress thought proper to pass for its immediate government; for its government during its territorial existence, during the preparatory state in which it was to remain until it was ready to come into the Union as one of the family of States."

At a later period in the debate he said :

"The honorable Senator from South Carolina argues, that the Constitution declares itself to be the law of the land, and that therefore it must extend over the Territories. 'The land,' I take it, means the land over which the Constitution is established; or, in other words, it means the States united under the Constitution. But does not the gentleman see at once that the argument would prove a great deal too much? The Constitution no more says, that the Constitution itself shall be the supreme law of the land, than it says that the laws of Congress shall be the supreme law of the land. It declares that the Constitution, and the laws of Congress passed under it, shall be the supreme law of the land."

Mr. President, the Missouri Compromise was again reaffirmed in 1848, on the passage of the Act creating a territorial government for Oregon.

The discovery of gold during the same year in California, rapidly gave that territory a population, three-fourths of which was from the free States. The necessity for some form of government compelled the people of California to frame a constitution which, in obedience to the doctrine of popular sovereignty, was submitted to the people, and adopted with a clause prohibiting slavery. There were but about five hundred votes against the adoption of this constitution. This small opposition did not arise because of the anti-slavery clause, but because many of the people believed that the time had not arrived for the formation of a State government.

When California applied for admission with this Constitu-

tion, the South refused her admission. Mr. Davis, of Mississippi, demanded the extension of the Missouri line to the Pacific ocean, and the recognition of slavery on the South thereof. In the debate on this subject he used the following language:

"I here assert, that never will I take less than the Missouri Compromise line extended to the Pacific Ocean, with the specific recognition of the right to hold slaves in the Territory below that line; and that, before such Territories are admitted into the Union as States, slaves may be taken there from any of the United States, at the option of their owners."

This brought Mr. CLAY to his feet, who said:

"I am extremely sorry to hear the Senator from Mississippi say that he requires, first, the extension of the Missouri Compromise line to the Pacific, and also that he is not satisfied with that, but requires, if I understood him correctly, a positive provision for the admission of slavery south of that line. And now, sir, coming from a slave State as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to say that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, either south or north of that line. Coming as I do from a slave State, it is my solemn, deliberate, and well-matured determination, that no power—no earthly power—shall compel me to vote for the positive introduction of slavery either south or north of that line. Sir, while you reproach, and justly too, our British ancestors for the introduction of this institution upon the continent of North America, I am, for one, unwilling that the posterity of the present inhabitants of California and of New Mexico, shall reproach us for doing just what we reproach Great Britain for doing to us. If the citizens of these Territories choose to establish slavery, and if they come here with constitutions establishing slavery, I am for admitting them with such provisions in their constitutions; but then it will be their own work, and not ours; and their posterity will have to reproach them, and not us, for forming constitutions allowing the institution of slavery to exist among them. These are my views, sir, and I choose to express them; and I care not how extensively, or universally they are known."

This was among the last debates in which Mr. Clay took a part. It was among the last great acts of his long and honorable life. It was the utterance of such sentiments as these that endeared him to the people. They are the views of a statesman who could forget sectional prejudices in a love for his whole country. Could he come back from his honored grave, and resume his former seat here, and utter the same sentiments, he would be denounced as an abolitionist. Strange that the Supreme Court could not permit one decade to pass after the deaths of Webster and Clay—those great defenders and expounders of the Constitution—before it destroyed the measure that gave peace and prosperity to the country.

Mr. Clay's compromise measures passed, and California became a State of the Union, despite the protest of ten southern Senators, four of whom (Messrs. HUNTER and MASON, of Virginia, DAVIS, of Mississippi, and YULEE, of Florida,) occupy seats on this floor to-day.

In their protest they state that the passage of the bill admitting California is injurious to the slave States, "*fatal to the peace and equality of the States they represented, and leading, if persisted in, to the dissolution of that confederacy in which the slaveholding States have never sought more than an equality, and in which they will not be content to remain with less.*"

After the passage of the compromise measures of 1850, with the admission of California as a State into the Union, peace was again restored on the question of slavery, as every patriot supposed, forever.

In 1852 the two great parties, Whig and Democratic, met in their conventions and endorsed, in their several platforms, the compromises of 1850. The questions that formerly had divided these parties had now been settled by the adoption of the Democratic policy, and the Democratic party was in a large majority in both branches of the national legislature.

In 1854, Mr. DOUGLAS introduced the Nebraska bill, to which Mr. Dixon, of Kentucky, offered an amendment, the effect of which was to repeal the Missouri Compromise. This amendment was accepted by the Committee on Territories, and adopted by southern Senators who objected to the bill and report of Mr. DOUGLAS, as I have been informed, for not being sufficiently ultra in their provisions.

I do not know, sir, why the Senator from Illinois accepted this amendment, but I was inclined to believe at the time that he—representing a free State—saw the beneficial results that were to flow from it to the people of the North, and it was not for him to object when he found almost a united South endorsing a repeal of the Missouri Compromise, the effect of which repeal was to devote the whole territories of the Union to the control of free labor. But I will do him the credit to say that I always thought that he saw, at the time he accepted the amendment of Mr. Dixon, that there were to be no more slave States. The South achieved another victory,

as she supposed; the bill became a law. From the moment of its passage slavery and freedom confronted each other in the territories.

In the passage of this bill the people of the North felt that a great wrong had been committed against their rights. This was a mistaken view; the North should have rejoiced, and applauded the Senator from Illinois for accepting Mr. Dixon's amendment. The South should have mourned the removal of that barrier, the removal of which will let in upon her feeble and decaying institutions millions of free laborers.

In the passage of the Kansas-Nebraska bill, the rampart that protected slavery in the southern territories was broken down. Northern opinions, Northern ideas, and Northern institutions were invited to the contest for the possession of these territories.

How foolish for the South to hope to contend with success in such an encounter. Slavery is old, decrepid, and consumptive. Freedom is young, strong, and vigorous. One is naturally stationary and loves ease. The other is migratory and enterprising. There are six millions of people interested in the extension of slavery. There are twenty millions of free-men to contend for these territories, out of which to carve for themselves homes where labor is honorable. Up to the time of the passage of the Kansas-Nebraska act, a large majority of the people of the North did not question the right of the South to control the destinies of the territories south of the Missouri line. The people of the North should have welcomed the passage of the Kansas-Nebraska act. I am astonished that Republicans should call for a restoration of the Missouri Compromise. With the terrible odds that are against her, the South should not have repealed it, if she desired to retain her rights in the territories.

Has it never occurred to southern gentlemen that millions of laboring free men are born yearly, who demand subsistence and will have it; that as the marts of labor become crowded they will spread into the territories and take possession of them. The Senator from South Carolina undervalues the strength and intelligence of these men when he denounces them as slaves. Would a dissolution of the Union give these

southern territories to slavery? No, sir... It is a mistake to suppose that it would. A dissolution of the Union would not lessen the amount of immigration, or the number of free white men seeking for homes and a market for their labor. Wherever there is land for settlement, they will rush in and occupy it, and the compulsory labor of slaves will have to give way before the intelligent labor of freemen. Had the Missouri line been retained, the northern laborer would not have sought to go south of it. But this line having been abolished by the South, no complaint can be made if the North avails herself of the concession. Senators had better consider before they talk of dissolution, and first understand if the perpetuity of their beloved institution will be more securely guaranteed by it. The question of dissolution is not discussed by the people of California. I am not at liberty to say, if the people I in part represent are denied by Congress the legislation they require, they will consider it a blessing to remain a part of this confederation. The Senator from South Carolina very boastingly told us, a few days since, how much cotton the South exported, and that "cotton was king." He did not tell us that the price of cotton fluctuated, and that the South was at the mercy of the manufacturers. Suppose, sir, the sixteen free States of the Union should see fit to enact a high protective tariff, for the purpose of giving employment to free labor, would cotton be king then? Why, sir, the single free State of California exports the product for which cotton is raised, to an amount of more than one half in value of the whole exports of the cotton of the slave States. Cotton king! No, sir. Gold is king. I represent a State, sir, where labor is honorable; where the judge has left his bench, the lawyer and doctor their offices, and the clergyman his pulpit, for the purpose of delving in the earth; where no station is so high, and no position so great, that its occupant is not proud to boast that he has labored with his hands. There is no State in the Union, no place on earth, where labor is so honored and so well rewarded; no time and no place since the Almighty doomed the sons of Adam to toil, where the curse, if it be a curse, rests so lightly as now on the people of California.

Many Senators have complained of the Senator from South

Carolina for his denunciations of the laborers of the North as "white slaves," and the "mud-sills of society." I quote from his speech:

"In all social systems there must be a class to do the menial duties, to perform the drudgery of life. That is a class requiring but a low order of intellect and little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class which leads progress, civilization, and refinement. It constitutes the very mud-sill of society and of political government; and you might as well attempt to build a house in the air as to build either the one or the other except on this mud-sill. Fortunately for the South, she found a race adapted to that purpose to her hand—a race inferior to her own, but eminently qualified in temper, in vigor, in docility, in capacity, to stand the climate, to answer all her purposes. We use them for our purpose, and call them slaves. We found them slaves by the 'common consent of mankind,' which, according to Cicero, '*lex naturæ est*,' the highest proof of what is Nature's law. We are old-fashioned at the South yet; it is a word discarded now by 'earns polite;' I will not characterize that class at the North with that term; but you have it; it is there; it is everywhere; it is eternal.

* * * * *

"We do not think that whites should be slaves either by law or necessity. Our slaves are black, of another and inferior race. The *status* in which we have placed them is an elevation. They are elevated from the condition in which God first created them, by being made our slaves. None of that race on the whole face of the globe can be compared with the slaves of the South. They are happy, content, unaspiring, and utterly incapable, from intellectual weakness, ever to give us any trouble by their aspirations. Yours are white, of your own race; you are brothers of one blood. They are your equals in natural endowment of intellect, and they feel galled by their degradation. Our slaves do not vote. We give them no political power. Yours do vote, and being the majority, they are the depositaries of all your political power. If they knew the tremendous secret, that the ballot-box is stronger than 'an army with banners,' and could combine, where would you be? Your society would be reconstructed, your government overthrown, your property divided, not as they have mistakenly attempted to initiate such proceedings by meeting in parks, with arms in their hands, but by the quiet process of the ballot box. You have been making war upon us to our very hearthstones. How would you like for us to send lecturers and agitators North, to teach these people this, to aid in combining, and to lead them?"

I, sir, am glad that the Senator has spoken thus. It may have the effect of arousing in the working men that spirit which has been lying dormant for centuries. It may also have the effect of arousing the two hundred thousand men with pure white skins in South Carolina, who are now degraded and despised by thirty thousand aristocratic slaveholders. It may teach them to demand what is the power—

"Link'd with success, assumed and kept with skill,
That moulds another's weakness to its will;
Wields with their hands, but, still to them unknown,
Makes even their mightiest deeds appear his own!"

I suppose, sir, the Senator from South Carolina did not intend to be personal in his remarks, to any of his peers upon this floor. If I had thought so, I would have noticed them at the time. I am, sir, with one exception, the youngest in years of the Senators upon this floor. It is not long since I served an apprenticeship of five years at one of the most laborious mechanical trades pursued by man—a trade that from its nature devotes its follower to thought, but debars him from conversation. I would not have alluded to this, if it were not for the remarks of the Senator from South Carolina; and the thousands who know that I am the son of an artizan and have been a mechanic, would feel disappointed in me if I did not reply to him. I am not proud of this. I am sorry 'tis true. I would that I could have enjoyed the pleasures of life in my boyhood's days, but they were denied to me. I say this with pain. I have not the admiration for the men of the class from whence I sprung that might be expected; they submit too tamely to oppression, and are too prone to neglect their rights and duties as citizens. But, sir, the class of society to whose toil I was born, under our form of government, will control the destinies of this nation. If I were inclined to forget my connection with them, or to deny that I sprung from them, this chamber would not be the place in which I could do either. While I hold a seat here, I have but to look at the beautiful capitals adorning the pilasters that support this roof, to be reminded of my father's talent, and to see his handiwork.

I left the scenes of my youth and manhood for the "far west," because I was tired of the struggles and the jealousies of men of my class, who could not understand why one of their fellows should seek to elevate his condition above the common level. I made my new abode among strangers where labor is honored. I had left without regret; there remained no tie of blood to bind me to any being in existence. If I fell in the struggle for reputation and fortune there was no relative on earth to mourn my fall. The people of California

elevated me to the highest office within their gift. My election was not the result of an accident. For years I had to struggle, often seeing the goal of ambition within my reach; it was again and again taken from me by the aid of men of my own class. I had not only them to contend with, but almost the entire partisan press of my State was subsidized by government money and patronage to oppose my election. I sincerely hope, sir, the time will come when such speeches as that from the Senator from South Carolina, will be considered a lesson to the laborers of the nation.

This Lecompton constitution will pass this body. If it should pass the other House, it will become a law. The South will rejoice at another triumph. Such triumphs constitute her defeat.

Since this Lecompton constitution has been before the Senate, the Administration has seen proper to attempt to make its acceptance a party test, and its organs have sought to read out of the party all the Democrats who have had the boldness to denounce the frauds by which it was created.

Among the men thus sought to be ostracized, are the great captains and generals of the party, who so gallantly fought during the last Presidential contest, and without whose exertions this very Administration would have no existence.

Let the Administration take heed that the party does not read it out. I deny the right of the Administration to make a party test; it is a power that exists only in the Democratic masses. The dictation of self-appointed party leaders shall not be the test of my Democracy.

I cannot, as the Representative of a free people, consent by any act of mine to coerce the people of Kansas to accept a government they abhor. I have no fear that the people of Kansas will permit this constitution to be enforced in the event of its becoming a law. If they do permit it to be enforced, they deserve to be subjected to the most abject slavery, and should be made to work under the lash of those who framed for them this constitution.

Mr. President, in the views I previously expressed on the Executive message, I said that the President of the United States should be held responsible for the difficulties in Kansas.

This remark was considered startling at the time, and was the subject of much censure. Recent developments have confirmed me in the correctness of the position I then took, and from the expression of public opinion that has reached me, I am satisfied that a majority of the people of the country unite with me in holding him to this responsibility.

Much has been said about not submitting the constitution of Kansas to the people, and a comparison has been drawn between it and the constitution of Minnesota. I agree with the friends of Lecompton that it is not an objection that should be fatal to the admission of a State into the Union, that such constitution has not been submitted to the people, if it be ascertained that the people, as in the case of Minnesota, favor admission.

Entertaining these views, I would not oppose the admission of a State with a clause in its constitution tolerating slavery, if I were satisfied that it was the expressed wish of a majority of the people.

It is a conceded fact, not requiring discussion or argument, that four-fifths of the people of Kansas are opposed to the Lecompton constitution. It was a fraud from its very inception. Every election in that Territory, looking to this constitution as a result, was founded in fraud. Senators who have preceded me have stated at length the history of these frauds, and I will now only refer to some of them, as the facts have not been disputed. In one precinct of that Territory (Kickapoo) 1,029 votes were polled on the alleged adoption of the Lecompton constitution, while the board of commissioners appointed by the Legislature of Kansas to investigate the subject, state that there are not more than four hundred legal voters in that district.

At another precinct (Shawnee) there were returned, as having been polled for the Lecompton constitution, 753 votes. The census of this place shows thirty houses and 115 legal voters. When the poll list left this town the record of names covered four pages of paper, when it reached Mr. Calhoun it covered fifteen pages. At still another precinct (Oxford) 1,266 votes are reported as having been polled. The census shows 47 white inhabitants.

It is notorious that the people of a neighboring State were permitted to vote at this election, at such precincts, and as often as they desired. The names of people are recorded in the poll lists, as having voted, who had been dead for months. But why enumerate these disgusting details? The facts are before the people. They are known to the President. He continues to keep the men in office who are charged with the commission of these frauds. The result of all their enormity is before us, in the shape of this Lecompton constitution, endorsed by him. Will not the world believe he instigated the commission of these frauds, as he gives strength to those who committed them? This portion of my subject is painful for me to refer to. I wish, sir, for the honor of my country, the story of these frauds could be blotted from existence. I hope, in mercy, sir, to the boasted intelligence of this age, the historian, when writing a history of these times, will ascribe this attempt of the Executive to force this constitution upon an unwilling people, to the fading intellect, the petulant passion, and trembling dotage of an old man on the verge of the grave.